

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.552 OF 2013

**LAXMAN DHONDIBA JEKATE
VERSUS
SHIVAJI POPAT PAWAR AND ANOTHER**

...

Advocate for Petitioner : Shri M. V. Salunke
AGP for Respondent No.2 : Smt. D. S. Jape
Advocate for Respondent No.1 : Shri A. S. More

...

**CORAM : SUNIL P. DESHMUKH AND
B. U. DEBADWAR, JJ.**

DATE : 12th MARCH, 2020

PER COURT :

1. Petitioner is complaining that caste certificate and validity thereof have been fraudulently obtained by respondent No.1 and purports to refer to several instances which according to him depict that caste validity claim of respondent No.1 has not been properly examined and there are lot of lacunae in procedural complications apart from those on merits. He contends that, despite complaint/representation having been filed, since 2012, there is no action whatsoever in furtherance of the same at the end of respondent No.2. He refers to representation to the District Collector and Collector's response to the same observing that the committee may look into the matter. Learned counsel submits that there is no progress whatsoever in respect of complaint/representation made by petitioner and the matter has not moved even an inch since 2012.

2. Learned counsel for respondent No.1 contends that there

is no substance in the allegations being hurled and that writ petition would not be maintainable in the face of remedies as would be available, relying on clutch of decisions.

3. Learned Assistant Government Pleader purports to contend that since record is with this court, may be there has been no further progress in respect of representation made by petitioner.

4. However, learned counsel for petitioner quickly points out that record and proceeding have been received recently.

5. It is difficult to approve contention that because the record has been received by this court, which appears to have been recently received, progress in the matter has been delayed.

6. Having regard to aforesaid, we deem it expedient that representation filed by petitioner on 18-07-2012 be responded to without getting influenced by this order and in accordance with law as expeditiously as possible by respondent No.2 – The Divisional Caste Verification Committee preferably within a period of six months from the date of receipt of writ of this order.

7. Writ petition is accordingly disposed of.

(B. U. DEBADWAR, J.)

(SUNIL P. DESHMUKH, J.)

SVH